



August 14, 2023

Governor's Office of Planning & Research

**Aug 14 2023**

**STATE CLEARINGHOUSE**

Arielle Goodspeed, Principal Planner  
San Benito County Resource Management Agency  
2301 Technology Parkway  
Hollister, CA 95023

**Subject: SCH No. 2023070454** – Notice of Preparation for a Draft Environmental Impact Report for Ranch 35 Quarry – San Benito County

Dear Ms. Goodspeed:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

### **PROJECT DESCRIPTION**

San Benito County Resource Management Agency, acting as Lead Agency, has prepared and circulated a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The Ranch 35 Quarry project site is located at 991 San Juan Highway in San Juan Batista, California. The site is located immediately east of the U.S. 101/Highway 156 interchange and two miles northwest of the City of San Juan Batista in unincorporated, northwestern San Benito County (County). The project site is identified as assessor's parcel number 012-090-023 and has a general plan designation of Agricultural and zoning designation of Agriculture Productive. The applicant, Stevens Creek Quarry, Inc., is seeking approval of a use permit and reclamation plan from the County. The Project seeks entitlements to develop, operate, and ultimately reclaim the Ranch 35 Quarry, a new aggregate mining and processing operation. The applicant currently operates the Williams Quarry, located just northeast of the project site, which has been ongoing for over 35 years. This project is intended to ultimately replace the existing Williams Quarry where aggregate reserves are now diminished.

Project operations would include mining, processing, and materials recycling. Mining would occur in phases over an anticipated 75-year period with maximum annual sales not to exceed 1 million tons. Site operations would involve development of the quarry area, installation of processing plant facilities, and gradual development of topsoil, overburden, and long-term material stockpiles on approximately 204 acres of the 271-acre parcel. The primary quarry

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area would be located within the central, southern, and northern portions of the parcel. Mining operations would involve vegetation removal, stripping and stockpiling of topsoil and overburden, and aggregate removal. Aggregate removal would use mobile equipment to create a working bench which is extended laterally to the proposed mining limit. Successive vertical benches would then be developed as the quarry mines downward. Drilling and blasting to break up aggregate material for excavation is not proposed.

After excavation, mined aggregate would be loaded into haul trucks and transported to the processing plant, south of the active pit via an internal access road. Processing of aggregate would include the use of crushers, screens, and conveyors to reduce the size of the aggregate material and sort and stockpile the processed aggregate. In addition, recycle materials generated from local infrastructure and general construction demolition sites would be trucked into the site. A recycle plant capable of crushing asphalt concrete, broken Portland Cement Concrete, and a combination of asphalt and Portland Cement Concrete would be located in the processing plant area. The processing plant would have days/hours of operation of 6:30 a.m. to 5:00 p.m., Monday through Saturday. The project does not propose construction and operation of an asphalt plant or ready-mix concrete plant.

### **COMMENTS**

Based on the project description, the processing plant may be subject to the Construction and Demolition and Inert Debris Transfer/Processing Regulatory Requirements, found in Title 14 California Code of Regulations (14 CCR), if the processing plant does not meet the requirements of a "Construction and Demolition Debris and Inert Debris (CDI) Recycling Center" or an "Inert Debris Recycling Center," as provided in 14 CCR, Section 17381.1, otherwise known as the "Three-Part Test."

#### **Three-Part Test**

The first part of the Three-Part Test is that a CDI recycling center receives only CDI Debris [14 CCR, Section 17381(c)] that has been separated at the point of generation or an inert debris recycling center only receives Type A inert debris [14 CCR, Section 17381(k)] that has been separated for reuse or source separated prior to receipt [14 CCR, Section 17381.1(a)(1-2)].

"Separated at the point of generation" is defined in 14 CCR, Section 17381.1(a)(1)(A) as follows:

For the purpose of this Section, "separated at the point of generation" means that the material has been separated from the solid waste stream by the generator of that material or by a processor prior to receipt at a CDI recycling center and has not been commingled with other solid waste or recyclable materials. For example, each material type must be transferred in separate containers to the recycling center. Notwithstanding, cardboard, lumber and metal may be commingled in a single container.

Separated for reuse material is defined in 14 CCR, Section 17381(y) as follows:

"Separated for Reuse" means materials, including commingled recyclables, that have been separated or kept separate from the solid waste stream for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace, and includes materials that have been "source separated."

Source separated material is defined in 14 CCR, Section 17381(dd) as follows:

"Source Separated" means materials, including commingled recyclables, that have been separated or kept separate from the solid waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

The second part of the Three-Part Test is the determination that the residual is less than 10% by weight of the amount of debris received, calculated on a monthly basis [14 CCR, Section 17381.1(b)(1)].

Residual is defined in 14 CCR, Section 17381(x), in part, as follows:

"Residual" means the solid waste destined for disposal, further transfer/processing as defined in 14 CCR, Section 17402(a)(30) or (31), or transformation which remains after processing has taken place, and is calculated in percent as the weight of residual divided by the total incoming weight of materials.

The third part of the Three-Part Test is the determination that the amount of putrescible wastes in the CDI debris is less than 1% by volume of the amount of debris received, and the putrescible wastes do not cause a nuisance, as determined by the Enforcement Agency (EA) [14 CCR, Section 17381.1(b)(2)].

Putrescible wastes is defined in 14 CCR, Section 17381(w) as follows:

"Putrescible Wastes" means solid wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances because of odors, vectors, gases, or other offensive conditions, and include materials such as, but not limited to food wastes, offal and dead animals. The EA shall determine on a case-by-case basis whether or not a site is handling putrescible wastes.

Additionally, there are storage time limits for CDI recycling centers [14 CCR, Section 17381.1(d)] and inert debris recycling centers [14 CCR, Section 17381.1(e)]. These regulations, and the regulations previously cited, may be viewed at [Browse - California Code of Regulations \(westlaw.com\)](#). Additional information on CDI debris may be viewed on the CalRecycle website at: [Construction/Demolition and Inert Debris Resources - CalRecycle Home Page](#).

The EA is responsible for making a determination as to whether the proposed operation at the processing plant meets the requirements of a "CDI Recycling Center" or an "Inert Debris Recycling Center" per 14 CCR, Section 17381.1(f-g). Per 14 CCR, Section 17381.1(h), if the proposed operation at the processing plant is determined not to be a "CDI Recycling Center" or an "Inert Debris Recycling Center," then it would be subject to the Construction and Demolition/Inert Debris Transfer/Processing Regulatory Requirements, and CalRecycle should be contacted for potential permitting requirements.

### **CDI Debris Handling**

#### Acreage

What will be the total acreage of the processing plant?

#### Maximum Tonnage

What will be the daily maximum tonnage (tons per day) of CDI debris received at the processing plant? If tonnage is calculated from records in cubic yards, include the conversion factor used.

#### Design Capacity

What is the processing plant's design capacity (i.e., potential maximum amount of CDI debris that can be stored on site)? Include the assumptions, methods, and calculations performed to determine the total capacity.

#### Feedstock

The NOP states that aggregate, asphalt, and concrete could be transported to the processing plant. What are the anticipated types of material that the aggregate will be composed of? Will there be any other types of "recycle material" delivered to the processing plant?

#### Traffic

What is the anticipated maximum daily traffic (vehicles per day) for the processing plant?

### **Solid Waste Regulatory Oversight**

CalRecycle is the EA for San Benito County and is responsible for providing regulatory oversight of solid waste handling and disposal activities, including permitting and inspections pursuant to Title 14 and 27 CCR. You can contact me, Megan Emslander, to discuss the regulatory requirements for this project.

### **CONCLUSION**

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the NOP and hopes that this comment letter will be useful to the Lead Agency in preparing the Draft EIR and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices, and any Notice of Completion and Notice of Determination for this proposed project.

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If the environmental document is certified during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is certified without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the approval and proposed project approval by the decision-making body.

If you have any questions or want to discuss regarding these comments, I can be reached at 916.341.6363 or by e-mail at [Megan.Emslander@calrecycle.ca.gov](mailto:Megan.Emslander@calrecycle.ca.gov).

Sincerely,



Megan Emslander, Environmental Scientist  
Permitting & Assistance Branch – South Unit  
Waste Permitting, Compliance & Mitigation Division  
CalRecycle

cc: Ben Escotto, Supervisor  
Permitting & Assistance Branch – South Unit

Jon Whitehill, Supervisor  
Waste Evaluation & Enforcement Branch – Unit B

Eric Tanner, San Benito County EA Inspector  
Waste Evaluation & Enforcement Branch – Unit B